



# CITY OF BIRMINGHAM

OFFICE OF THE MAYOR

PUTTING PEOPLE FIRST

August 7, 2018

Honorable Andrew Wheeler  
Environmental Protection Agency  
1200 Pennsylvania Ave, N. W.  
Washington, D. C. 20460

Acting Administrator Wheeler,

I write to urge your consideration of immediately placing the North Birmingham 35<sup>th</sup> Avenue Superfund Site onto the National Priorities List (NPL).

The case for NPL placement is compelling. According to an EPA document:

"A site may be included on the NPL if it scores sufficiently high on the Hazard Ranking System (HRS), which is a mathematical formula that serves as a screening device to evaluate a site's threat to human health or the environment. As a matter of EPA policy, those sites that score 28.50 or greater on the HRS are eligible for inclusion on the NPL."

**The North Birmingham 35<sup>th</sup> Avenue Superfund Site scored a 50 – meaning it is almost twice as dangerous as the minimum requirements.**

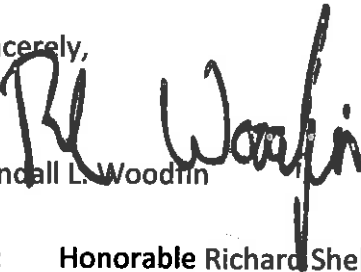
Further, as I am sure you know, on July 19, 2018 a federal jury convicted a coal executive and an attorney who represented the coal company in a criminal conspiracy to prevent the North Birmingham 35<sup>th</sup> Avenue Superfund site from advancing to the NPL. A state legislator pleaded guilty to participating in that conspiracy. This scheme included a massive public misinformation campaign and bribery. Additionally, local, state and federal elected officials signed and submitted letters opposing NPL placement – letters that were given to them by the attorney convicted in this case. Apparently, this plot against the people of Birmingham worked, as NPL status was denied.

As a result of these illegal actions, thousands remain at risk including the 1,070 people living in 394 public housing units and 751 children attending Hudson K-8 school. The necessary remedies include, but are not limited to, screening and health care to address pollution related health issues, relocation and reconstruction of Hudson K-8 school, non-resident redevelopment of the North Birmingham 35<sup>th</sup> Avenue Superfund Site and reclamation of Village Creek.

In light of the recent revelations concerning the public corruption, we believe this situation demands a much more robust response. The United States Attorney has already done their part by exposing this criminal hoax and bringing those responsible to justice. Still, these injustices continue until the North Birmingham 35<sup>th</sup> Avenue Superfund Site is placed on the National Priorities List and all necessary resources are provided to the people of this community.

Thank you for your prompt consideration to this dire matter.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Woodfin".

Randall L. Woodfin

Cc: Honorable Richard Shelby, United States Senate  
Honorable Doug Jones, United State Senate  
Honorable Terri Sewell, United State House of Representatives  
Honorable Ben Carson, Secretary of Housing and Urban Development  
Honorable Kay Ivey, Governor of Alabama  
Honorable Jeff Sessions, United States Attorney General  
Honorable Trey Glenn, Environmental Protection Agency – Region 4  
Lance LeFleur, Alabama Department of Environmental Management